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6 Attorneys for Plaintiff  
BAY AREA PAINTERS AND TAPERS  
7 PENSION FUND, et al.

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10 UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 BAY AREA PAINTERS AND TAPERS  
13 PENSION FUND, et al.,

14 Plaintiffs,

15 v.

16 RANDY THOMPSON PAINTING, INC., and  
17 RANDY RAY THOMPSON,

18 Defendants.

Case No.: C07-4703 WHA

**JOINT CASE MANAGEMENT  
STATEMENT AND REQUEST TO  
CONTINUE**

Date: January 17, 2008

Time: 2:30 p.m.

Courtroom: 9, 19<sup>th</sup> Floor

Judge: The Honorable William H. Alsup

19  
20 The parties to this action hereby submit this Case Management Statement to now provide  
21 in detail the good cause to again continue the Case Management Conference now set for January  
22 17, 2008:

23 1. This action was filed by plaintiffs on September 13, 2007, to compel payment by  
24 defendants of amounts found due on a payroll audit of defendants' records for the period January  
25 1, 2004 through December 31, 2005.

26  
27 2. Defendants denied liability and obtained counsel.

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**JOINT CASE MANAGEMENT STATEMENT  
Case No.: C07-4703 WHA**

3. Plaintiffs were contacted by defendants' counsel, who expressed a willingness to work together to resolve this matter. Defendants' counsel provided to plaintiffs a detailed inquiry regarding the audit, which was considered by plaintiffs, and certain revisions were made to the audit.

4. Defendants' counsel had resulting questions, which required further research on the part of plaintiffs to clarify those inquiries and substantiate Plaintiffs' claims.

**5. That research was completed only recently, following the intervening holidays. The information has just been provided to defendants' counsel, who has been out ill for several days but advised he will contact his client promptly.**

6. Both parties have voiced their interest in reaching an informal resolution to this matter, with the resulting efficiency and reduction of time for the court and of expense to the parties. For that reason, the parties hereto believe that good cause is shown to continue the Case Management Conference, currently set for January 17, 2008, for 60 days, to allow for the above negotiations between the parties to take place, settlement to be reached and appropriate resolution to be filed.

**7. In the event that resolution is not reached promptly, plaintiffs would file a Motion for Summary Judgment.**

**8. The parties are attempting to avoid that expense and therefore respectfully request to continue the Case Management Conference, currently set for January 17, 2008, by 60 days.**

Dated: January 10, 2008

ATKINSON, ANDELSON, LOYA,  
RUUD & ROMO

/s/ \_\_\_\_\_  
David A. Soldani, Esq.  
Attorneys for Defendants

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**JOINT CASE MANAGEMENT STATEMENT**  
**Case No.: C07-4703 WHA**

1 Dated: January 10, 2008

SALTZMAN & JOHNSON  
LAW CORPORATION

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3 \_\_\_\_\_/s/\_\_\_\_\_  
4 Muriel B. Kaplan  
5 Attorneys for Plaintiffs

6 IT IS SO ORDERED.

7 The currently set Case Management Conference is hereby continued to  
8 \_\_\_\_\_, 2008, at \_\_\_\_\_.

9  
10 Date: \_\_\_\_\_  
11 \_\_\_\_\_  
12 United States District Court Judge